

REMARKS

This paper is responsive to any paper(s) indicated above, and is responsive in any other manner indicated below.

STATEMENT OF SUBSTANCE / NON-FINAL RCE FIRST OFFICE ACTION

The examiner interview (by and between Examiner Spencer D. Patton and the Undersigned) is respectfully noted. In such interview, it was indicated by the Examiner that the present amendments to Applicant's independent claim(s) would require further search and consideration and thus an RCE would be required. Accordingly, in view of the interview and RCE filing, it is respectfully submitted that it would not be proper to make any next action final. The Examiner is thanked for such interview, and for allowing Applicant to avoid the procedural/administrative delays associated with an after-final amendment and advisory action process.

CONCURRENT REQUEST FOR CONTINUED EXAMINATION (RCE)

Submitted concurrently herewith is a Request for Continued Examination (RCE) transmittal. In the event that the RCE transmittal is not filed herewith, then this paper should be taken as a request for the filing of an RCE.

PENDING CLAIMS

Claims 1-4 were pending, under consideration and subjected to examination in the Office Action. Appropriate claims have been amended, canceled and/or added (without prejudice or disclaimer) in order to adjust a clarity and/or focus of Applicant's claimed invention. That is, such changes are unrelated to any prior art or scope adjustment and are simply refocused claims in which Applicant is present interested. At entry of this paper, Claims 1-8 will be pending for further consideration and examination in the application.

35 USC '112, 1ST PARAGRAPH REJECTION - OBSOLETE VIA AMENDMENT

Claim 1 has been rejected, under 35 USC '112, first paragraph, for the concerns listed within the "112" section on page 2 of the Office Action. Traversal is appropriate, but such rejection has been rendered obsolete by the present clarifying amendments to Applicant's specification/claims. That is, the first searching units and second searching units have been amended to recite a "route searching unit" which is supported by the description of the specification (e.g., see FIG. 3, item 14). Based upon the foregoing, reconsideration and withdrawal of the above-referenced rejection are respectfully requested.

REJECTION UNDER 35 USC '103

The 35 USC '103 rejection of claims 1 and 3 as being unpatentable over iQue 3600 in view of Makoto et al. (JP 06-323863), Reggie and Koh et al. (U.S. Patent Pub 2005/0027926); and the rejection of claims 2 and 4 as being unpatentable over iQue 3600 in view of Makoto et al. (JP 06-323863), Reggie and Koh et al. (U.S.

Patent Pub 2005/0027926) and Yokoyama (U.S. Patent 5,654,908) is respectfully traversed. However, such rejections have been rendered obsolete by the present clarifying amendments to Applicant's claims, and accordingly, traversal arguments are not appropriate at this time. However, Applicant respectfully submits the following to preclude renewal of any such rejections against Applicant's clarified claims.

All descriptions of Applicant's disclosed and claimed invention, and all descriptions and rebuttal arguments regarding the applied prior art, as previously submitted by Applicant in any form, are repeated and incorporated hereat by reference. Further, all Office Action statements regarding the prior art rejections are respectfully traversed. As additional arguments, Applicant respectfully submits the following remarks supplied from Applicant's foreign representative.

Regarding claims 1 and 3:

Applicant's present invention according to the above clarified claims discloses (as one distinguishing feature) **advance searching of a route from a current position to an intersection** (positioned within a range of a predetermined distance based on a current position of a vehicle detected) **at the time of a navigation system being started**. Consequently, the time period to search a route from the current position to the destination **is shortened** as a portion of an ultimately-require search is prepared in advance, and further an accuracy of the route search based on the latest traffic information is able to be enhanced.

Another distinguishing feature of the present invention is to conduct a route search from the current position to the nearby intersection **prior to final confirmation of a destination**. According to such feature, when the destination is

initially inputted, the system **starts a search (e.g., searches a route search to the destination by means of a route from the current position to the nearby intersection) in advance of a subsequent final destination confirmation**. Thus, the time period for the route search can be **shortened accordingly**.

In contrast, none of the cited references discloses or suggests the feature of Applicant's present invention, e.g., searching a route from the current position to the nearby intersection at the time of the navigation system being started.

Turning to rebuttal of the previously-applied art, in the pending Office Action, comments mentioned about an art disclosed by the cited reference 3 (JP06-323863) allege that Applicant's present invention can be easily arrived by Fig. 2 and a description of paragraph [0020] of the cited reference. However, traversal is appropriate because according to the invention of the cited reference 3, a route to an intersection is searched **after a departure point and a destination** are set (Refer, for example, to paragraphs [0020]-[0023], Fig. 1 and Fig. 6). Thus, it should be considered that the configuration of the cited reference is not identical to that of Applicant's present invention or to the advantageous effect achieved by Applicant's present invention, i.e., shortening the time period for the route search from the current position to the destination by using a preliminarily (i.e., advanced) searched route **from the current position to the nearby intersection**, would not have been disclosed, or made obvious, by the cited reference.

Regarding claims 2 and 4:

Applicant's present invention according to these claims discloses conducting a route search from a current position to a destination **after receiving an input of the destination and before receiving a setting of a final confirmation of the**

destination (before the inputted destination is fixed). In other words, a route search can be started and conducted before the inputted destination is fixed as confirmed, during a sequence of a general route searching operation made by a person in a vehicle who attempts to search a route to a destination. Thus, the time period for searching for a route can be shortened.

In contrast, none of the cited references discloses or suggests the above disclosure of the present invention.

Further, in the pending Office Action, comments mention about an art disclosed by the cited reference 4 (US5654908). The art discloses transmitting a schedule stored in an electronic diary and searching a route to a destination specified in the schedule. According to such art, the route to the destination is searched via an electronic diary. This specific type of route search method is different from the method of the navigation system of Applicant's present invention,. Moreover, it is assumed that the art of the cited reference is exclusively useful for the purpose of searching a route beforehand to a destination that is supposed to be visited by the user anytime soon based on the schedule stored in the electronic diary, and such art is not useful for a series of a general route searching operation made by a person in a vehicle who attempts (in a real-time situation) to search a route to a destination. Based on the foregoing, it is apparent that the cited reference and the present invention do not aim at accomplishing the same purpose, and thus, one having ordinary skill in the art could not have arrived to the feature of Applicant's present invention based on the disclosure of the cited reference.

No other previously-applied reference cures the major deficiencies mentioned above with respect to the above-discussed reference(s). Given that the previously-

applied references are mutually deficient in at least one regard (e.g., conducting a partial current-location-to-next-intersection search in advance of inputting of, or final confirmation of, the destination), it is respectfully submitted that the previously-applied references (whether taken individually, or in combination) would not have disclosed or suggested Applicant's claimed invention.

To conclude, Applicant's **independent claim 1 (taken as an example)**, recites the distinguishing features/limitations of: "A **navigation system** comprising: a storing unit adapted to store link data of links configuring roads on a map; a unit adapted to detect a current position of a vehicle in case the navigation system itself is started; **a route searching unit adapted to use the link data to search, before setting of the destination is accepted, for a route from the detected current position to an intersection which is provided within a range of a predetermined distance,** and **to search a route from the intersection to the destination after the setting of the destination is accepted;** and, a unit adapted to specify a route which is composed of the route from the current position to the intersection and the route from the intersection to the destination, as searched by the route searching unit, as a recommended route." Other ones of Applicant's claims have similar or analogous features/limitations.

Applicant's **independent claim 2 (taken as an example)**, recites the distinguishing features/limitations of: "A **navigation system** comprising: a storing unit adapted to store link data of links configuring roads on a map; a unit adapted to detect a current position of the vehicle; a unit adapted to accept an input of the destination from a user; a unit adapted to display information **to accept**

confirmation from the user whether or not the destination accepted is erroneous; **a unit adapted to set the destination as confirmed in case data indicating that the destination is not erroneous is accepted from the user; a searching unit adapted to use the link data to search, before the destination is set as confirmed, for the route from the detected current position to the accepted destination;** and a unit adapted to specify the searched route as a recommended route in case the destination is set as confirmed.” Other ones of Applicant’s claims have similar or analogous features/limitations.

As a result of all of the foregoing, it is respectfully submitted that the applied art (taken alone and in the Office Action combinations) would not support a '103 obviousness-type rejection of Applicant's claims. Accordingly, reconsideration and withdrawal of such '103 rejection, and express written allowance of all of the '103 rejected claims, are respectfully requested.

EXAMINER INVITED TO TELEPHONE

The Examiner is herein invited to telephone the undersigned attorneys at the local Washington, D.C. area telephone number of 703/312-6600 for discussing any Examiner’s Amendments or other suggested actions for accelerating prosecution and moving the present application to allowance.

RESERVATION OF RIGHTS

It is respectfully submitted that any and all claim amendments and/or cancellations submitted within this paper and throughout prosecution of the present application are without prejudice or disclaimer. That is, any above statements, or

any present amendment or cancellation of claims (all made without prejudice or disclaimer), should not be taken as an indication or admission that any objection/rejection was valid, or as a disclaimer of any scope or subject matter. Applicant respectfully reserves all rights to file subsequent related application(s) (including reissue applications) directed to any/all previously claimed limitations/features which have been subsequently amended or cancelled, or to any/all limitations/features not yet claimed, i.e., Applicant continues (indefinitely) to maintain no intention or desire to dedicate or surrender any limitations/features of subject matter of the present application to the public.

CONCLUSION

This Amendment is being submitted concurrently with the filing of a Request for Continued Examination (RCE) and does not present any changes which would require further search, consideration or fees. Entry and approval of the minor corrections made herein are respectfully requested.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR '1.136. Authorization is herein given to charge any shortage in the fees, including extension of time fees and excess claim fees, to Deposit Account No. 01-2135 (Case No. 566.46259X00) and please credit any excess fees to such deposit account.

Based upon all of the foregoing, allowance of all presently-pending claims is respectfully requested.

Respectfully submitted,

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